

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13
Case No. 09-22397 RDD

**WILLIAM McDERMOTT AND
LOUMANN McDERMOTT,**

Debtor(s)

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ORDER DISMISSING CHAPTER 13 CASE

The Chapter 13 trustee having moved for an order dismissing this Chapter 13 case; and, upon the motion and the record of the June 15^h, 2009 hearing thereon, the Court having found that the above-captioned debtor has failed to comply with the provisions of 11 U.S.C. §1307(c)(1); (c)(3) and (c)(4), and 11 U.S.C. §521(i) , having created unreasonable delay that is prejudicial to creditors, in that the debtor failed to timely file a plan, failed to appear and be examined at the scheduled 341(a) meeting of creditors; failed to remit timely proposed plan payments to the trustee, failed to provide the required documentation, in particular, complete schedules, statement of financial affairs, payment advices and evidence of other payments received within 60 days, and the “means” test; and there being no opposition to the requested relief,

IT IS ORDERED THAT:

The Chapter 13 case is hereby dismissed pursuant 11 U.S.C. §1307(c)(1) (c)(3) and (c)(4) and 11 U.S.C. §521(i).

Dated: White Plains, New York
June 15, 2009

/s/Robert D. Drain
UNITED STATES BANKRUPTCY JUDGE